

IN RE: PETITION FOR ADMIN. VARIANCE

N/S Willow Glen Drive, 120' E  
centerline of Shelrick Place  
2nd Election District  
3rd Councilmanic District  
(2502 Willow Glen Drive)

Rebecca & Brian A. Caplan  
Petitioners

\*

BEFORE THE

\*

DEPUTY ZONING COMMISSIONER

\*

OF BALTIMORE COUNTY

\*

CASE NO. 02-401-A

\*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Rebecca and Brian Caplan. The variance request is for property located at 2502 Willow Glen Drive in the northwestern area of Baltimore County. The variance request is from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing single-family dwelling with an addition to have a rear yard setback of 12 ft. in lieu of the required 30 ft. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

ORDERED FOR FILING  
DATE 4/25/02  
BY [Signature]

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 25<sup>th</sup> day of April, 2002, that a variance from Section 1B02.3.B of the B.C.Z.R., to permit an existing single-family dwelling with an addition to have a rear yard setback of 12 ft. in lieu of the required 30 ft., be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

  
TIMOTHY M. KOTROCO  
DEPUTY ZONING COMMISSIONER  
FOR BALTIMORE COUNTY

TMK:raj

ORDER PREPARED FOR FILING  
DATE 4/25/02  
BY R. J. JAMESON



Baltimore County  
Zoning Commissioner

Suite 405, County Courts Bldg.  
401 Bosley Avenue  
Towson, Maryland 21204  
410-887-4386  
Fax: 410-887-3468

April 25, 2002

Mr. & Mrs. Brian A. Caplan  
2502 Willow Glen Drive  
Baltimore, Maryland 21209

Re: Petition for Administrative Variance  
Case No. 02-401-A  
Property: 2502 Willow Glen Drive

Dear Mr. & Mrs. Caplan:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco  
Deputy Zoning Commissioner

TMK:raj  
Enclosure

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



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on Recycled Paper



# Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 2502 WILLOW GLEN DR.  
which is presently zoned D.R. S.S

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3.B (BCZR)  
211.4 (BCZR, 1955)

TO PERMIT AN EXISTING SINGLE FAMILY DWELLING  
WITH ADDITION TO HAVE A REAR YARD OF 12' IN  
LIEU OF THE REQUIRED 30'.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

## Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

## Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

## Legal Owner(s):

BRIAN A. CAPLAN  
Name - Type or Print

BAC  
Signature

REBECCA CAPLAN  
Name - Type or Print

Rebecca Caplan  
Signature

2502 WILLOW GLEN DR. <sup>410/486-5325</sup>  
Address Telephone No. <sup>410/486-6121</sup>

BALTO., MD 21209  
City State Zip Code

## Representative to be Contacted:

SAME  
Name

AS  
Address Telephone No.

ABOVE  
City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

Reviewed By ETM Date 3/20/02

Estimated Posting Date 3/31/02

CASE NO. 02-401-A

REV 10/25/01

ORDER RECEIVED FOR FILING

# Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 2502 WILLOWGLEN DR.  
Address  
BALTO, MD 21209  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (Indicate hardship or practical difficulty):

The present rear setback is 30'. The original kitchen has been remodeled but is still too small to accommodate our family of 2 adults and 5 children. We are requesting a variance to allow for a 14'x14' addition to our kitchen on the back of our house. The majority of this model house in this neighborhood have extended their kitchens due to the impracticality of the original size. The present setback does not allow for any extension greater than 2 feet. The requested variance would not impose on any surrounding properties, but would accommodate, and allow for the continued growth of, our family. The variance we are requesting is for an 18' rear setback to allow for this kitchen extension.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Brian A. Caplan  
Signature

BRIAN A. CAPLAN  
Name - Type or Print

Rebecca Caplan  
Signature

REBECCA CAPLAN  
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 18<sup>th</sup> day of March, 2002, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Brian & Rebecca Caplan  
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Marion Katz  
Notary Public

My Commission Expires 7/1/05 July 1<sup>st</sup> 2005

## **Zoning Description**

Zoning description for ***2502 Willowglen Drive Baltimore, Md. 21209***

Beginning at a point on the ***North*** side of ***Willowglen Drive***,  
which is ***42 feet*** wide at the distance of ***120 feet East*** of the centerline of the  
nearest improved intersecting street, ***Shelrick Place***, which is ***50 feet*** wide.

Being Lot #2, Block A, Section 3 in the subdivision of ***Meadowood*** as recorded in  
Baltimore County Plat Book #24, Folio ***108***, containing ***0.17 acres***.

Also known as ***2502 Willowglen Drive*** and located in the  
***2<sup>nd</sup>*** Election District, ***3<sup>rd</sup>*** Councilmanic District.

#401

BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

No. 11286

DATE 3/20/02 ACCOUNT 20010066150

AMOUNT \$ 50.00

RECEIVED  
FROM:

ERIAN CAPLAN

FOR:

010 VARIANCE

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS: ACTUAL TIME  
3/20/2002 3/20/2002 09:48:39

RE: 4506 WALKIN KNCH F&N DRAWER 4  
RECEIPT # 073246 3/20/2002 OFLN  
DEPT 5 528 ZONING VERIFICATION  
CR NO. 011286

Receipt Tot \$50.00  
50.00 OK .00 CA  
Baltimore County, Maryland

CASHIER'S VALIDATION

# CERTIFICATE OF POSTING

RE: Case No.: 02-401-A

Petitioner/Developer: \_\_\_\_\_

BRIAN & REBECCA CAPLAN

Date of Hearing/Closing: 4/15/02

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, MD 21204

MR. GEORGE SAHNER  
Attention: ~~Ms. Gwendolyn Stephens~~

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at \_\_\_\_\_

2502 WILLOWGLEN DR.

The sign(s) were posted on 3/31/02  
(Month, Day, Year)

CASE # 02-401-A

Sincerely,

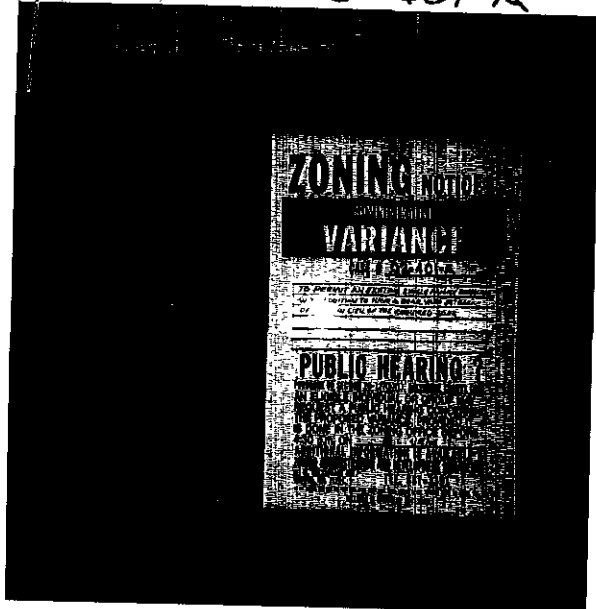
Richard E. Hoffman 3/31/02  
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN  
(Printed Name)

904 DELLWOOD DR.  
(Address)

FALLSTON, MD 21047  
(City, State, Zip Code)

(410) 879-3122  
(Telephone Number)



2502 WILLOWGLEN DR.

POSTED 3/31/02

Richard E. Hoffman 3/31/02



2000-000

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
ZONING REVIEW**

**ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS**

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

**OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.**

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**For Newspaper Advertising:**

Item Number or Case Number: 02-401-A

Petitioner: BRIAN & REBECCA CAPLAN

Address or Location: 2502 WILLOW GLEN DRIVE BALTO, MD. 21209

PLEASE FORWARD ADVERTISING BILL TO:

Name: \_\_\_\_\_

Address: SAME

Telephone Number: 410/486-6121

Revised 2/20/98 - SCJ

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATESCase Number 02- 401 -AAddress 2502 WILLOW GLEN DRContact Person: CLOYD T. MOXLEYPhone Number: 410-887-3391 <sup>GEORGE</sup>

Planner, Please Print Your Name

Filing Date: 3/20/02Posting Date: 3/31/02Closing Date: 4/15/02

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

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 Petitioner: This Part of the Form is for the Sign Poster Only

## USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 02- 401 -AAddress 2502 WILLOW GLEN DR.Petitioner's Name BRIAN ; REBECCA CAPLANTelephone (410) 486-6121Posting Date: 3/31/02Closing Date: 4/15/02
 Wording for Sign: To Permit AN EXISTING SINGLE FAMILY DWELLING  
WITH ADDITION TO HAVE A REAR YARD SETBACK  
OF 12.8' IN LIEU OF THE REQUIRED 30'.

WCR - Revised 6/28/00



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmlandacq@co.ba.md.us

April 15, 2002

Mr. & Mrs. Brian A Caplan  
2502 Willow Glen Drive  
Baltimore MD 21209

Dear Mr. & Mrs. Caplan:

RE: Case Number: 02-401-A, 2502 Willow Glen Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 20, 2002.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr. G D Z  
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: People's Counsel

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



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**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

**TO:** Arnold Jablon, Director  
Department of Permits & Development  
Management

**DATE:** May 1, 2002

**FROM:** *RWB* Robert W. Bowling, Supervisor  
Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For April 8, 2002  
Item Nos. 401, 402, 404, 405, 406,  
407, 408, 409, 410, 411, 413, 414,  
415, 416, 417, 418, 419, 420, 421,  
422, 423 and 425

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:CEN:cab

cc: File



Baltimore County  
Fire Department

Office of the Fire Marshal  
700 East Joppa Road  
Towson, Maryland 21286-5500  
410-887-4880

Department of Permits and  
Development Management (PDM)  
County Office Building, Room 111  
Mail Stop #1105  
111 West Chesapeake Avenue  
Towson, Maryland 21204

April 12, 2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF April 8, 2002

Item No.: See Below

Dear Mr. Zahner:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:  
401, 402, 404-417, 419-425

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office  
PHONE 887-4881, MS-1102F

cc: File  
COUNTY REVIEW GROUP MEETING{PRIVATE }

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



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BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon  
FROM: R. Bruce Seeley  
DATE: May 1, 2002

Zoning Advisory Committee Meeting of April 8, 2002

**SUBJECT:** NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

401, 404, 405, 406, 407, 410, 412, 413, 414, 417, 418, 420, 421, 423

AN  
4/15

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

**TO:** Arnold Jablon, Director  
Department of Permits and  
Development Management

**DATE:** April 11, 2002

**FROM:** Arnold F. 'Pat' Keller, III  
Director, Office of Planning

APR 11 2002

**SUBJECT:** Zoning Advisory Petition(s): Case(s) 02-321, 02-401, 02-408, 02-413, 02-414,  
02-416, 02-419, & 02-423

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Mark A. Cunningham

Section Chief:

Jeffrey W. Zar

AFK/LL:MAC



**Maryland Department of Transportation**  
**State Highway Administration**

Parris N. Glendening  
Governor

John D. Porcari  
Secretary

Parker F. Williams  
Administrator

Date: 4-12-02

Mr. George Zahner  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 401

LTM

Dear Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Kenneth A. McDonald Jr., Chief  
Engineering Access Permits Division

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



Zoning Commissioner  
111 W. Chesapeake Ave.  
Towson, Md. 21204

CASE # 02-401-A

Dear Zoning Commissioner:

This letter is to affirm that as the connecting neighbors of 2502 Willowglen Drive Baltimore, Md. 21209, we have been made aware of the resident's intention of constructing an addition the rear of their house in order to extend their kitchen.

My signature below attests to the fact that have no objection to this change in their house or the change in the rear setback in order to accommodate the addition.

Margie Katz  
Name

2502 Willow Glen Drive adjacent  
Address

Edmund B. Smith  
Name

7504 Willow Glen Dr - adjacent  
Address

David Eisenberg  
Name

2513 Hal Circle near Diagonal  
Address

El Oj  
Name

2511 Hal Cir. directly behind  
Address

Robert J. Smith  
Name

2509 Hal Circle near diagonal  
Address

#401

# PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

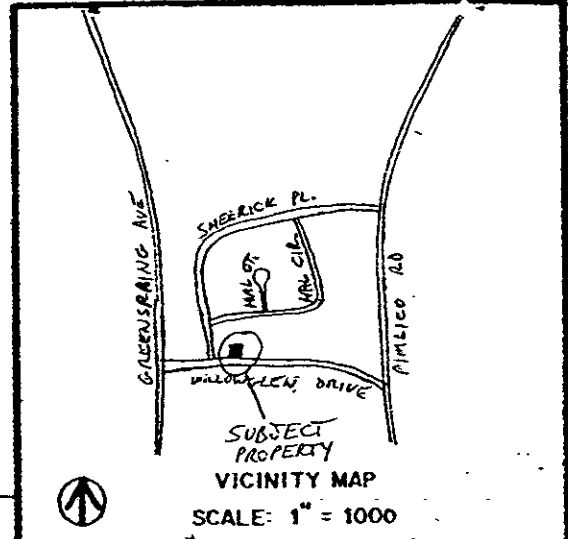
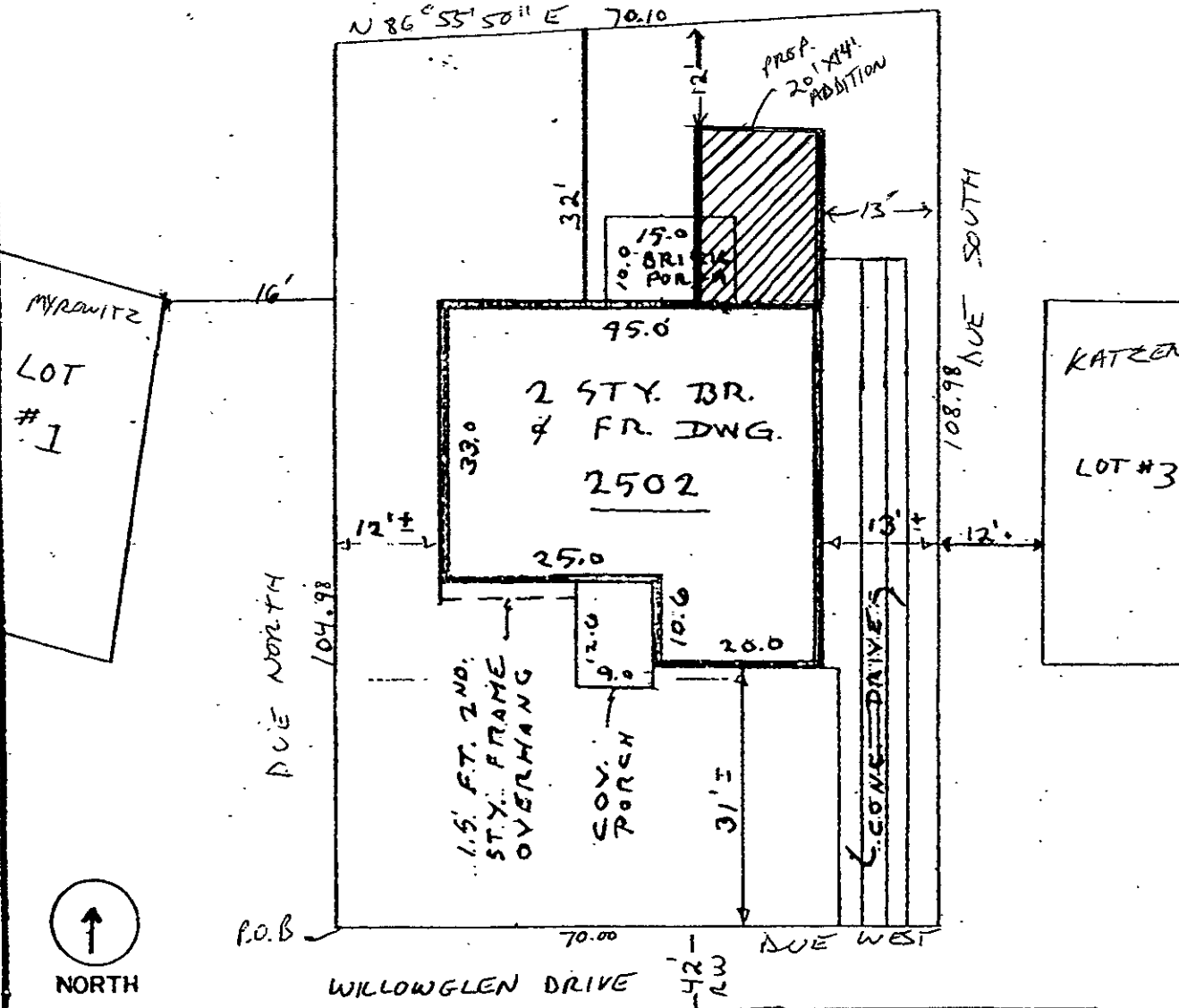
PROPERTY ADDRESS 2502 WILLOWGLEN DR.

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME MEADOWWOOD

PLAT BOOK GB #24 FOLIO # 108 LOT # 2 SECTION # 3

OWNER BRIAN & REBECCA CAPLAN



**LOCATION INFORMATION**

ELECTION DISTRICT 3RD

COUNCILMANIC DISTRICT 2ND

1"=200' SCALE MAP # NW.7D

ZONING DR 5.5

LOT SIZE 0.17 ACREAGE 7405 SQUARE FEET

	PUBLIC	PRIVATE
SEWER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
WATER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CHESAPEAKE BAY CRITICAL AREA	<input type="checkbox"/>	<input checked="" type="checkbox"/>
100 YEAR FLOOD PLAIN	<input type="checkbox"/>	<input checked="" type="checkbox"/>
HISTORIC PROPERTY/ BUILDING	<input type="checkbox"/>	<input checked="" type="checkbox"/>
PRIOR ZONING HEARING	<u>NONE</u>	

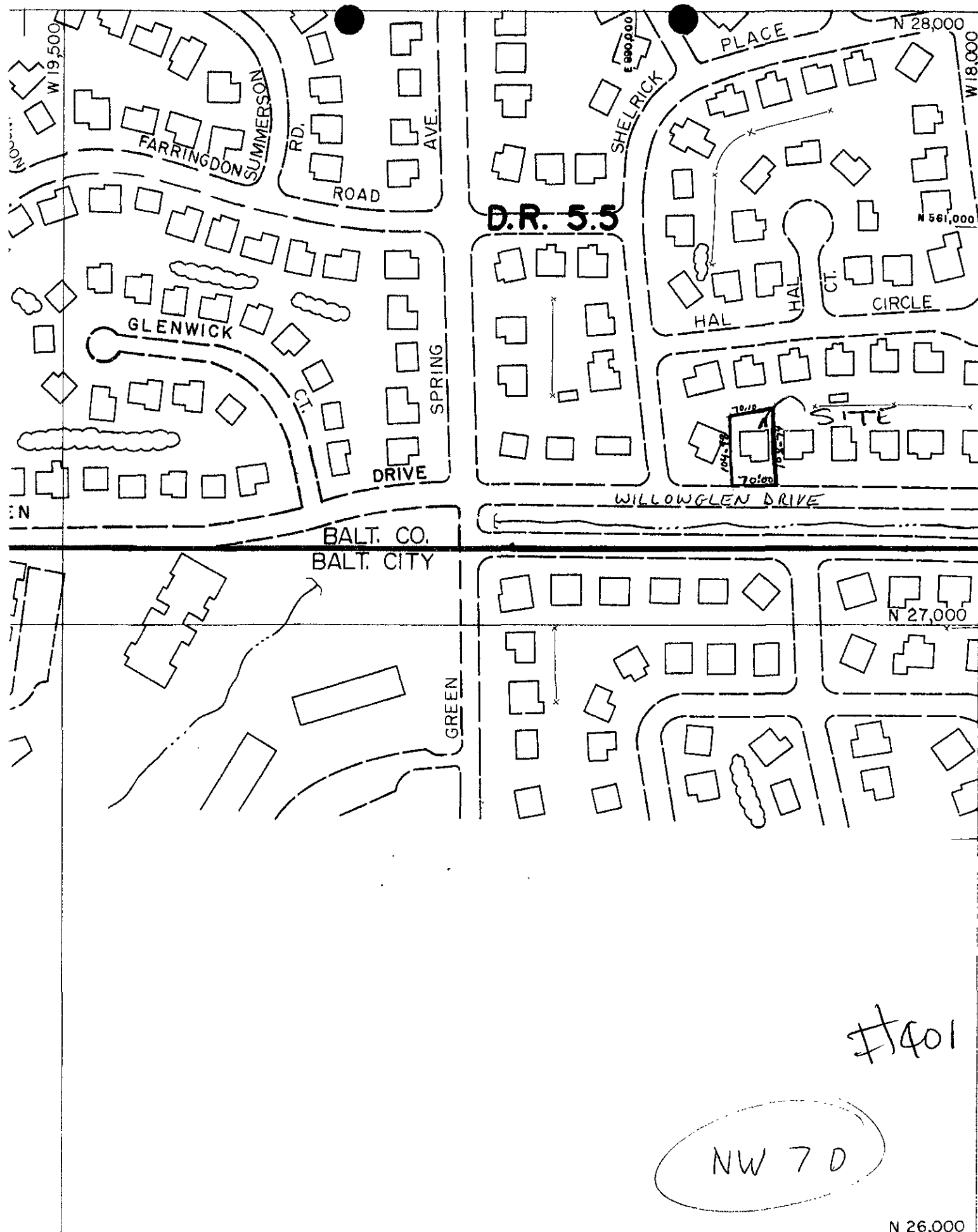
**ZONING OFFICE USE ONLY**

REVIEWED BY CTM ITEM # 901 CASE #

PREPARED BY BRIAN A. CAPLAN

SCALE OF DRAWING: 1" = 20'

Plat - GB #1



D.R. 5.5

BALT. CO.  
BALT. CITY

#401

NW 70



REAR VIEW

SITE OF PROPOSED ADDITION

#401



FRONT VIEW  
W/ ADJACENT DWELLINGS ON  
EAST & WEST SIDES



FRONT VIEW



FRONT VIEW  
W/ ADJACENT DWELLINGS  
ON EAST & WEST SIDES



(SITE OF  
PROPOSED ADDITION)  
REAR VIEW

#401